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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

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UNITED STATES OF AMERICA

§

*versus*

§

MARVIN SMITH

§

CASE NO. 1:09-CR-107(2)

§

**MEMORANDUM ORDER ADOPTING REPORT AND RECOMMENDATION**

The Court referred this matter to the United States Magistrate Judge Keith F. Giblin for the administration of a guilty plea hearing. Judge Giblin conducted a hearing and issued his findings of fact and recommendation on guilty plea (#343). The magistrate judge recommended that the Court accept defendant's guilty plea. He further recommended that the Court finally adjudge defendant as guilty on Count One of the Second Superseding Indictment.

The parties have not objected to the magistrate judge's findings. The Court accepts the findings in the report and recommendation. The Court **ORDERS** that Judge Giblin's report (#343) is adopted. The Court further **ORDERS** that the defendant's guilty plea and the plea agreement are accepted at this time. It is finally **ORDERED** that the Court finds defendant guilty on Count One of the Second Superseding Indictment charging violations of Title 21, United States Code, Section 846.

SIGNED at Beaumont, Texas, this 18th day of July, 2010.

*Marcia A. Crone*

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MARCIA A. CRONE  
UNITED STATES DISTRICT JUDGE